REMARKS

The Examiner rejected Claims 1, 2, and 5-20 under 35 U.S.C. 102(b) as being anticipated by Kinrot, *et al* (hereafter "Kinrot")(6,246,482). Applicant traverses this rejection with respect to Claims 8-14 and submits that the remaining claims as amended above are not anticipated by, or obvious in view of Kinrot.

The Examiner looks to detector 22 of Kinrot as corresponding to a device that generates specular reflection interference images. The Examiner maintains that Kinrot teaches that this detector can be a one or two-dimensional CCD array. The Examiner points to the passage starting at column 26, line 56 in Kinrot as supporting this second assertion. Applicant must disagree with the Examiner's reading of Kinrot.

The detector taught in Kinrot that is used to detect the motion of a device is a single photodetector that generates a signal that varies in time as the detector moves over the surface. Kinrot teaches a system in which a beat frequency in this signal is used to determine the speed of the device over the surface. There is no teaching in Kinrot of forming an image with this detector. The passage at column 26 refers to a device that includes a second imaging detector for forming an image of the surface using a separate light source 124 as is conventional in light pens.

Kinrot does not teach the generation of images, and hence, Kinrot could not anticipate Claims 1, 8, 15, and the claims dependent therefrom.

With respect to Claim 17, Kinrot does not teach a detector that is an array of detectors. As noted above, Kinrot teaches a single photodetector. Hence, there are additional grounds for allowing Claim 17 and the claims dependent therefrom.

With reference to Claims 7, 12, and 20, the Examiner has not pointed to any teaching in Kinrot that the surface does not lie in the nominal image plane of the detector. The optical system taught in Kinrot utilizes a pin-hole aperture in front of the detector. Such apertures form an imaging system with a large depth of field, and hence, if anything, Kinrot teaches that the surface is in the nominal plane of the detector. Hence, there are additional grounds for allowing these claims.

The Examiner rejected Claims 3-4 under 35 U.S.C. 103(a) as being unpatentable over Kinrot. Applicant submits that these claims, as amended above, are not obvious in view of Kinrot.

In making this rejection, the Examiner maintains that Kinrot teaches all of the limitations of Claim 1 and that the differences between Claims 3 and 4 are merely matters of substituting functionally equivalent source and detector arrays into the device taught in Kinrot. Applicant must disagree. First, as noted above, Kinrot does not teach a detector that captures a sequence of two-dimensional images. Substituting a two-dimensional detector for the single photodetector of Kinrot would not lead to any improvements in the device taught in Kinrot, since Kinrot does not teach an algorithm that could utilize the additional information generated by the detector array. Hence, Applicant submits that Claims 3 and 4 are patentable over Kinrot.

I hereby certify that this paper is being sent by FAX to 571-273-8300.

Respectfully Submitted,

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